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Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
----------102265 291852Z /43
O 291756Z AUG 77
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 698

C O N F I D E N T I A L SECTION 1 OF 2 GENEVA 7388

EXDIS

FOR ASST. SECY MAYNES ONLY FM AMB. VANDEN HEUVEL

E O 11652: GDS
TAGS: PORG, PLAB, ILO
SUBJ: ILO

1. TO RECOMMEND AN AGENDA OF SUFFICIENT PROGRESS TO JUSTIFY THE DECISION TO CONTINUE U.S. PARTICIPATION IN THE ILO AND IN ANTICIPATION OF REFTEL 202719, I HAVE MET SINCE MY RETURN WITH EC-9, IMEC AND G-77 REPRESENTATIVES, A NUMBER OF INDIVIDUAL AMBASSADORS, SEVERAL TIMES WITH DIRECTOR-GENERAL BLANCHARD AND HIS IMMEDIATE STAFF AND WITH SORENSON, PFEIFFER AND GRIP FOR REFLECTIVE SESSIONS ON THE PROBLEM.

2. BOTH THE LABOR AND EMPLOYER GROUPS KNOW, AS THEIR SPOKESMEN STATED IN THE CLC MEETING OF AUGUST 16TH, THAT THERE IS NO WAY BY WHICH THE ILO ORGANIZATION CAN MAKE SIGNIFICANT DECISIONS WHICH COULD REVERSE THE DAMAGE DONE AT THE 1977 ILO CONFERENCE BEFORE NOVEMBER. PROGRESS, IT SEEMS TO ME, MUST BE MEASURED BY THE DEGREE OF COMPREHENSION AND COMMITMENT REFLECTED BY THE EC-9, IMEC AND SIGNIFICANT G-77 COUNTRIES. THERE IS ALSO THE POSSIBILITY OF PRELIMINARY ACTION BY THESE GROUPS, OR BY SIGNIFICANT INDIVIDUAL COUNTRIES OR THE ILO SECRETARIAT, THAT WOULD INDICATE
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BOTH FEASIBLE PROGRESS AND NEW ATTITUDES TOWARDS THE RESOLUTION OF OLD PROBLEMS. FOLLOWING ARE A NUMBER OF MEASURES WHICH WE HAVE CONSIDERED, SOME OF WHICH ARE ALREADY IN PROGRESS AND IN WHICH I WOULD WELCOME YOUR THOUGHTS--AS AN AGENDA OF SIGNIFICANT PROGRESS:
A) A LETTER TO BE DELIVERED PERSONALLY TO THE PRESIDENT BY BELGIAN PRIME MINISTER TINDEMANNS ON

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BEHALF OF THE EC-9 STRESSING

(1) THE NINE'S COMMITMENT
TO THE OBJECTIVES OF THE KISSINGER LETTER, (2) THE
FEASIBILITY OF ACHIEVING THOSE OBJECTIVES IF THE
U.S. REMAINS A MEMBER, AND (3) A STRONG INDICATION
BY THE NINE THAT THEY ARE PREPARED TO ENGAGE IN BONA
FIDE DISCUSSIONS REGARDING RESTRUCTURING WHICH THEY
BELIEVE CAN BE ACCOMPLISHED WITHOUT COMPROMISING
BASIC PRINCIPLES. ALTHOUGH THIS MESSAGE (WHICH IS
ALREADY IN DRAFT) WILL PROBABLY URGE THAT THE KISSINGER
LETTER BE WITHDRAWN, IT WILL ALSO STRONGLY ENDORSE
THE OPTION OF EXTENDING THE NOTICE OF WITHDRAWAL FOR
AT LEAST ONE YEAR. IT IS EXPECTED THAT THIS LETTER
WILL SPEAK FOR THE LABOR AND EMPLOYER GROUPS IN THE
EC-9 AS WELL AS THE GOVERNMENTS.

B) AT APPROXIMATELY THE SAME TIME, WE EXPECT THAT
INDIVIDUAL PERSONAL MESSAGES ECHOING THE EC-9 LETTER
WILL BE SENT TO THE PRESIDENT FROM THE PMS OF CANADA,
AUSTRALIA AND JAPAN (AND PERHAPS OTHER IMEC LEADERS).
THESE WILL STRESS THE IMPORTANCE OF U.S. LEADERSHIP,
THE SOLIDARITY OF THE IMEC VIEWPOINT WITH THAT OF
THE U.S., AND SUPPORT FOR THE OPTION TO EXTEND.

C) AFTER THE MESSAGES HAVE BEEN RECEIVED BY THE
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PRESIDENT, AND AFTER PREMIER BARRE'S VISIT IN MID-
SEPTEMBER WHEN WE EXPECT THAT HE WILL DELIVER A
PERSONAL MESSAGE FROM PRESIDENT GISCARD REGARDING
CONTINUED U.S. MEMBERSHIP IN THE ILO, WE BELIEVE
THAT DIRECTOR-GENERAL BLANCHARD MIGHT BE PERSUADED
TO MAKE A MAJOR STATEMENT, ADDRESSED TO THE MEMBERS,
WHICH MIGHT INCLUDE THE FOLLOWING POINTS:

(1) THE COMMITTEE OF EXPERTS IS THE CONSCIENCE OF
THE ILO. ACCEPTANCE BY THE ANNUAL CONFERENCE OF THE
REPORTS OF THE COMMITTEE ON APPLICATION OF STANDARDS
IS, THEREFORE, ESSENTIAL TO THE INTEGRITY OF ILO
PERFORMANCE. A REFERENCE TO THE SINGLE STANDARD OF PERFORMANCE
DISCUSSED IN PARAGRAPH 31 COULD BE INCLUDED.
(2) THE D-G DOES NOT BELIEVE THAT ANY MEMBER-STATE
WISHES TO SEE CONDEMNATION OF ANY COUNTRY REGARDING
ILO CONVENTIONS WITHOUT THE DUE PROCESS PROCEDURES
PROVIDED BY THE ILO. THE COMMITTEE ON STRUCTURE IS
CONSIDERING VARIOUS PROPOSALS TO CLARIFY ARTICLE
SEVENTEEN. PENDING THE COMMITTEE'S RECOMMENDATION
TO THE CONFERENCE AND THE CONFERENCE'S ACTION THEREON,
THE D-G WILL INTERPRET SECTION 2 OF ARTICLE 17 AS

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AUTHORIZING HIM TO WITHHOLD CIRCULATION OF ANY
RESOLUTION THAT DOES NOT INVOKE MANDATORY ILO INVESTIGATIVE
PROCEDURES IN CONNECTION WITH ALLEGED VIOLATION
OF ILO CONVENTIONS PENDING CONSULTATIONS WITH THE OFFICERS OF
THE GOVERNING BODY.

(3) THE D-G BELIEVES THE 1977 REPORT OF THE COMMITTEE
ON THE APPLICATION OF STANDARDS WOULD HAVE BEEN
ADOPTED BUT FOR THE CONVICTION BY A NUMBER OF
MEMBER-STATES THAT THE COMMITTEE ON EXPERTS PROCEDURES
COULD NOT BE APPLIED TO THE TERRITORIES OCCUPIED BY
ISRAEL WITHOUT CHALLENGING ARAB SOVEREIGNTY OF THOSE
TERRITORIES. HE WILL STATE THAT THE U.N. HAS DECLARED AND CONTINUES
TO DECLARE ARAB SOVEREIGNTY OF THOSE TERRITORIES; HE WOULD
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RESTATE THAT THE OCCUPATION OF ANY TERRITORY WHERE ANOTHER
NATION IS SOVEREIGN AND WHERE THE PEOPLE LIVING IN
THAT TERRITORY HAVE NOT FREELY GIVEN THEIR CONSENT

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
----------102374 291855Z /43
O 291756Z AUG 77
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TO SECSTATE WASHDC IMMEDIATE 699

C O N F I D E N T IA L SECTION 2 OF 2 GENEVA 7388
EXDIS
IS IPSO FACTO A DENIAL OF THE POLITICAL RIGHTS OF
THOSE PEOPLE; THE ILO DOES NOT HAVE THE JURISDICTION
AND AUTHORITY TO DEAL EFFECTIVELY WITH THE POLITICAL
QUESTIONS AFFECTING OCCUPIED TERRITIRIES; HE WOULD
NOT WANT THE ILO TO DO ANYTHING THAT WOULD APPEAR TO
CHALLENGE ARAB SOVEREIGNTY; HE IS SYMPATHETIC TO THE
CONCERN OF THE ARAB STATES REGARDING THE IMPLEMENTATION
OF THE STANDARDS OF APPLICABLE ILO CONVENTIONS TO
THE ARAB WORKERS IN THOSE TERRITORIES; THEREFORE, HE

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IS CONSIDERING ASKING THE GOVERNING BODY TO REQUEST
AN ADVISORY OPINION FROM THE ICJ AS TO WHETHER
REGULAR ILO INVESTIGATIVE RPOCEDURS CAN BE INVOKED
IN THE OCCUPIED TERRITORIES WITHOUT IN ANY WAY
UNDERMINING ARAB SOVEREIGNTY OF THOSE TERRITORIES.

(4) THE D-G BELIEVES BOTH THE STRUCTURE AND THE
PURPOSE OF ANY ORGANIZATION OR ASSOCIATION OF FREE
MEMBERS AND PEOPLES SHOULD BE SUBJECTED TO
REVIEW. HE HOPES AND EXPECTS THE COMMITTEE ON
STRUCTURE TO REPORT SIGNIFICANT AND SUBSTANTIVE
PROGRESS TO THE 1978 CONFERENCE. THE D-G WOULD EXPRESS CONFIDENCE
THAT RESTRUCTURING COULD BE AGREED UPON THAT WOULD ASSURE THE
INTEGRITY AND INDEPENDENCE OF ILO'S TRIPARTITE STRUCTURE.

(5) HE BELIEVES IN THE UNIVERSALITY OF MEMBERSHIP
IF THE U.N. AND THE ILO ARE TO SERVE THE PEOPLES OF
THE WORLD. IF ANY COUNTRY, LARGE OR SMALL, WITHDRAWS
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FROM MEMBERSHIP, THE PEOPLE OF THE WORLD ARE THE
LOSERS--AND THOSE COUNTRIES ARE LESSENING THE
POSSIBILITIES OF SOCIAL JUSTICE AND PEACE IN A
COMPLEX, TROUBLED WORLD.

D) ASSUMING THE BLANCHARD STATEMENT IS PHRASED IN
AN ACCEPTABLE, WAY, OUR HOPE IS THAT THE G-77
COLLECTIVELY, OR SIGNIFICANT G-77 COUNTRIES INDIVIDUALLY,
WOULD PUBLICLY ENDORSE THE DIRECTOR-GENERAL'S
STATEMENT, PERHAPS DIRECTLY TO PRESIDENT CARTER
THROUGH PERSONAL MESSAGES OR DEMARCHES TO THE U.S.
GOVERNMENT. (FROM MY CONVERSATIONS WITH THE INDIAN
AMBASSADOR, IT APEEARS POSSIBLE THAT THE PRIME MINISTER
OF INDIA MIGHT ADDRESS A PERSONAL MESSAGE TO PRESIDENT
CARTER CONCERNING THE ILO.)

E) WE EXPECT INFORMAL DISCUSSIONS AMONG REPRESENTATIVES
OF THE G-77, THE IMEC AND THE EC-9 TO BEGIN SHORTLY
AT THE GENEVA AMBASSADORIAL LEVEL REGARDING RESTRUCTURING.
NO ONE BELIEVES THESE DISCUSSIONS WILL RESULT IN
RECOMMENDATIONS BEFORE THE NOVEMBER DEADLINE, NOR
SHOULD THEY SINCE THE COMMITTE ON STRUCTURE IS
SCHEDULED TO RECONVENE ON OCTOBER 31ST AND THERE IS
NOTHING TO B GAINED BY TRYING TO SHORT-CIRCUIT
REGULAR ILO PROCEDURES ON THIS QUESTION AT THIS
TIME. NEVERTHELESS, THE MERE FACT OF SUCH INFORMAL
DISCUSSIONS AND THE POSSIBILITY THAT THESE MEETINGS
WILL CREATE A DIFFERENT ENVIRONMENT OF MUTUAL
UNDERSTANDING IS A MAJOR REALITY THAT SHOULD IMPRESS
THE PRESIDENT.

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F) THE AFRICAN REGIONAL GROUP OF ILO IS MEETING IN
ABIDJAN ON SEPTEMBER 27. WE WOULD HOPE THAT THIS
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MEETING WOULD ENDORSE THE SUBSTANCE OF A BLANCHARD
STATEMENT ALONG THE LINES REPORTED ABOVE AND
COMMUNICATE THAT ENDORSEMENT TO THE PRESIDENT.

3. THIS FOREGOING AGENDA MAY BE BEYON REALIZATION.
ITEM C-3, FOR EXAMPLE, WOULD HAVE TO BE CLEARED
WITH KEY IMEC PERMREPS AND WITH ISRAELI AND ARAB
PERMREPS AS WELL. IN MY JUDGEMENT, HOWEVER, SUCH A
MOVE WOULD DO MUCH OVER THE NEXT FEW YEARS TO
DEFUSE THE ARAB-ISRAELI ISSUE IN THE ILO.

4. IF THESE IDEAS ARE NOT SUFFICIENT, PLEASE
COMMUNICATE BY TELEPHONE TO INDICATE WHAT OTHER
THOUGHTS YOU HAVE. PERHAPS THE BLANCHARD STATEMENT
WILL BE CONSIDERABLY LESS THAN THE POINTS SUGGESTED.
IT CERTAINLY WILL NOT BE MORE. THE MIDDLE EAST
POINT MAY BE TOO DIFFICULT TO ACHIEVE. IF THE U.S.
IS CONTEMPLATING ACQUIESCENCE IN AN ARAB RESOLUTION
REGARDING THE OCCUPIED TERRITORIES AT THE UNGA, IT
MAY BE POSSIBLE TO OBTAIN AN AGREEMENT FROM THE
ARAB TO EXERCISE MUCH GREATER RESTRAINT IN RAISING
THIS ISSUE IN THE SPECIALIZED AGENCIES,
INCLUDING THE ILO. MOST AMBASSADORS ARE AGREED
HERE THAT THE COMMITTEE ON APPLICATION OF CONVENTIONS
REPORT WOULD HAVE BEEN ACCEPTED BUT FOR THE COM-
PLEXITIES OF THE MIDDLE EAST. IF WE CAN CONFINE
THE EXPLOSIVE QUALITIES OF THAT QUESTION, THE 1978
CONFERENCE SHOULD BE PRODUCTIVE IN TERMS OF U.S.
OBJECTIVES, AND THE PRESIDENT WOULD BE JUSTIFIED IN
DECIDING TO MAINTAIN U.S. MEMBERSHIP IN THE ILO
EITHER BY WITHDRAWING THE NOTICE OF INTENT OR
EXTENDING IT FOR A PERIOD OF A YEAR.
VANDEN HEUVEL

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